



June 26, 2026

The Honorable Akilah Weber Pierson, Chair
Senate Committee on Health
1021 O Street, Suite 3310
Sacramento, CA 95814

**RE: AB 1148 (Sharp-Collins): Food packaging; hazardous chemicals
As amended June 22, 2026 – OPPOSE UNLESS AMENDED**

Dear Senator Weber Pierson:

The undersigned organizations have taken an **“Oppose Unless Amended”** position on AB 1148 (Sharp-Collins), legislation that would impose certain restrictions on food packaging that contains any intentionally added bisphenols or phthalates beginning January 1, 2028.

The coalition would like to acknowledge and thank the author, sponsors, and staff with the Senate Environmental Quality Committee for the on-going dialogue and diligent work that resulted in the June 22, 2026, amendments.

While these changes addressed some of the coalition’s concerns, we continue to believe the regulatory framework and authority that rests with the California Department of Toxic Substances Control (DTSC) and the United States Food & Drug Administration (FDA) provide the appropriate forum to assess the safety of food packaging materials, establish appropriate threshold levels for intentionally added ingredients, and if necessary, impose any regulatory requirements.

DTSC has broad authority under the Safer Consumer Products (SCP) program to identify chemical/product combinations and, if warranted, impose use restrictions, including “Restrictions on the amount or concentration of the Chemical(s) of Concern or replacement Candidate Chemical(s) permitted in a product.”¹

The coalition continues to have concerns with legislation that would ban specific chemicals in products without the benefit of an open, transparent and science-based process under the auspices of the appropriate regulatory agency. To that end, the coalition has offered amendments

¹ [§ 69506.4. Use Restrictions on Chemicals and Consumer Products.](#)

to ensure such criteria are met. In summary, the proposed amendments would, among other things:

- Require DTSC by 1/1/30 to evaluate the use of bisphenols and phthalates in food contact applications to determine whether it is necessary to establish a minimum safety threshold level or some other regulatory response.
- If DTSC determines a regulatory response is necessary, require the department to initiate a formal rulemaking process that establishes such levels by 1/1/32.
- Make other clarifying and technical changes, include providing a “sell thru” period for existing stocks of food packaging.

Expanded DTSC Authority under the SCP Program

DTSC’s authority under the SCP program was recently expanded via the enactment of SB 502 (Allen, Stats. 2022). SB 502 authorizes DTSC to require manufacturers provide specific information to help inform priority chemicals and products, including:

- information on ingredient chemical identity, concentration, and functional use;
- existing information, if any, related to the use of the products by children, pregnant women, or other sensitive populations; and
- data on state product sales, or national product sales in the absence of state product sales data.

DTSC also has authority to move directly to a regulatory response instead of requiring manufacturers to conduct an alternative analysis. The Assembly Environmental Safety and Toxic Materials Committee analysis (June 14, 2022) included a comment from the bill’s author that stated, *“the adjustments made by SB 502 will ensure DTSC has the tools they need to efficiently identify and address unsafe chemical ingredients in everyday products.”*²

DTSC and Food Packaging

DTSC has been active in considering chemistries used in food packaging applications, specifically including “food contact articles” in its most recent SCP three-year workplan.³ DTSC notes that as part of its stakeholder engagement process *“we revised and expanded this category to include all products that are (1) intended to be used with food and (2) come in contact with a food product at any stage of its life cycle, including processing, **packaging**, preparation, cooking, serving, and transportation. This definition is more broad than the U.S. Food and Drug Administration’s (FDA’s) definition of food contact substances as it includes products in contact with food at any stage of a food product’s life cycle and applies to the entire product.”* (emphasis added)

Finally, the SCP provides a process for anyone to petition DTSC to add to or remove from the Priority Products list a product-chemical combination. In fact, the SCP regulations require DTSC to “give

² https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220SB502#

³ <https://dtsc.ca.gov/wp-content/uploads/sites/31/2024/10/2024-2026-Priority-Product-Work-Plan.pdf>

high priority to reviewing petitions by federal and other California State agencies that relate to the petitioning agency's statutory and/or regulatory authorities.”⁴

Should your committee move AB 1148 forward, we respectfully request your consideration of the proposed amendments put forth by the coalition. Thank you in advance for considering our comments.

Sincerely,



Tim Shestek
American Chemistry Council

On behalf of the following organizations:

James Toner, International Bottled Water Association
Katie Little, California Food Producers
Carol Patterson, Foodservice Packaging Institute
Meredith Fossett, Vinyl Institute
Elizabeth Esquivel, California Manufacturers & Technology Association
Matt Singh, Flexible Packaging Association
Danielle F. Waterfield, Esq., American Institute for Packaging and the Environment (AMERIPEN)
Adam Regele, California Chamber of Commerce
Lisa Johnson, Chemical Industry Council of California
Erin Raden, Consumer Brands Association
Cherish Changala, Western Plastics Association
Sarah Pollo Moo, California Retailers Association

cc: Members, Senate Committee on Health
The Honorable Dr. LaShae Sharp-Collins, Member of the Assembly
Mr. Michael Lucien, Chief of Staff, Office of Assembly Member Sharp-Collins

⁴ [§ 69504.1. Merits Review of Petitions](#)